FINANCE SECRETARIAT

Revision of rate/instalment of recovery of HBA drawn by the District Judges who are appointed as High Court Judges.

REF.—

Note No. 863/D/78 dated 2nd December 1978 from the Department of Law and Parliamentary Affairs.

PREAMBLE :

It has been represented on behalf of the State Government servents in Judcial Service who are appointed as Judges of the High Court that their superannuation age will be raised to 62 years. Consequently the period of recovery of the advances drawn by them also gets extended upto 62nd year. Therefore, the instalments of recovery already fixed may be suitably revised after obtaining the deed of rectification etc.

2. Their representations have been examined in consultation with Law Department who have suggested that the article 213 of K. F. C. 1958 may be amended by inserting another note (Note-3) to Article 213.

ORDER No. FD 559 AHB 78, BANGALORE, DATED THE 16TH MARCH 1979.

Government have examined the request Their request to extend the period of recovery of advance till the age of superannuation, namely 62 years cannot be considered.

2. However, Government direct that the period of recovery of the advance drawn by such Members of the Judiciary be continued upto the date on which they attain the age of 58 years which is the age of superannuation of Secretaries to Government including All India Service Officers and regulate the instalments of recovery accordingly on obtaining a deed of rectification from them in the form annexed to this order.

3. A note (Note-3) will be added under Article 213 of Karnataka Financial Code, 1958 as follows .

"Note-3 ; The period of recovery of the advance drawn together with interest of the State Government Servants who have been appointed as Judges of the High Court of Karnataka shall be extended to the age of 58 years and the instalments of recovery already fixed shall be revised after obtaining the deed of rectification from them in the annexed form "Deed of Rectification" subject to the maximum period/monthly instalments prescribed ibid",

3. This concession will take effect from the date of issue of this order

By Order and in the name of the Governor f Karnataka,

MALI PATIL BASAVARAJAPPA,
Under Secretary to Government,
Finance Deptt.

Annexure to G. O. No. FD 559 AHB 78, dated the 16th March 1979

'DEED OF RECTIFICATION'

This deed is made on the————————day of ——————BETWEEN————————(hereinafter called "the Mortgagor") of the one part and————————(hereinafter called the "Mortgagee") of the other part.

WHEREAS by a deed of Mortgage dated the ——————————the said————————mortgaged in favour of the Government of Karnataka the property (describe the property) and the said deed has been registered at——————Registration Office in Book No ——————Volume No ——————pages————to————being Serial No.——————for the year————————(hereinafter called "the principal deed"), AND WHEREAS the principal deed requires rectification in the manner hereinafter appearing : NOW THIS DEED WITNESS ETH that the principal deed shall be rectified and corrected in the following manner, namely,————————

In page————line————————of the principal deed for the words "————" insert the words "————".

That as rectified and modified as aforesaid the principal deed shall remain in full force and effect.

IN WITNESS whereof, the said————————has hereto signed (or put his signature, or set his hand) at————————the day and year first above written

Signature